

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

UNITED STATES OF AMERICA,

Plaintiff,

v.

No. CR 18-4176 JB

STERLING ISLANDS, INC.,
AL-ZUNI GLOBAL JEWELRY, INC.,
JAWAD “JOE” KHALAF,
NADER KHALAF,
NASHAT “NASH” KHALAF,
ZAHER MOSTAFA, and
TAHA “TOM” SHAWAR,

Defendants.

DEFENDANTS’ UNOPPOSED MOTION TO EXTEND EXPERT NOTICE DEADLINES

Defendants, for good cause, move the Court to extend the Defendants’ expert notice and report disclosure deadline. Defendants move the Court to extend this deadline two weeks, until July 5, 2019. Plaintiff United States of America does not oppose the relief requested in this motion. The following constitute good cause for the extension:

1. On March 12, 2019, the Court filed the Proposed Scheduling Order [Doc. 42] (“Scheduling Order”). The Scheduling Order sets the deadline to disclose experts on May 24, 2019. See id. ¶ 3. The Scheduling Order set the trial for this matter to begin on November 18, 2019. See id. ¶ 13.

2. On May 23, 2019, the United States agreed to extend the Defendants' expert disclosure deadline until June 7. On June 6, 2019, the United States agreed to extend the Defendants' expert disclosure deadline until June 21, 2019. [Doc. 63].

3. On June 17, 2019, the Court granted the Defendants' unopposed motion to continue its expert disclosure deadline until June 21, 2019. [Doc. 69].

4. On June 3, 2019, the United States and counsel for Defendants met to discuss this proceeding and discuss potential pretrial resolution. Again, on June 17 and 18, 2019, after written communication from counsel for Defendants, the United States and counsel for Defendants continued their negotiations, making further progress. The parties' discussions of that nature are ongoing and have been promising thus far.

5. The parties' counsels' discussion are ongoing. An extension of the deadline of the Defendants' expert notices and reports to July 5, 2019, will not cause any delay in the scheduled November trial in this matter. Thus, good cause exists to grant the relief that Defendants request (and which the United States does not oppose) in this motion.

6. For all of these reasons, under 18 U.S.C. § 3161(h)(7) and *United States v. Toombs*, 713 F.3d 1273 (10th Cir. 2013), the ends of justice are served by the additional two-week extension of the expert disclosure deadlines, to allow the parties to continue the discussion in which they are currently engaged, outweigh the best interest of the public and the Defendants in adhering to the Scheduling Order's and Local Rules' deadlines, and good cause exists to grant the two-week extension to July 5, 2019.

CONCLUSION

For good cause, because the two-week extension requested will not delay any matters in this proceeding, and because the ends of justice served by granting the extension outweigh the best interest of the public and Defendants in adhering to the current deadlines, Defendants move the Court to extend for two weeks, until July 5, 2019, Defendants' deadline to file their expert notice(s).

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that on June 19, 2019, I filed the foregoing pleading electronically through the CM/ECF system, which caused all parties or counsel to be served by electronic means, as more fully reflected on the Notice of Electronic Filing.

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